

REMARKS

In the Final Office Action mailed on May 26, 2005, the Examiner objected to the specification and rejected claims 1-13 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0233553 to Parks et al. in view of U.S. Patent No. 5,809,144 to Sirbu et al.

In response, Applicant filed an After Final amendment on August 26, 2005 and amended claims 1 and 3-9 and cancelled claims 2 and 11-13. In the Advisory Action mailed on September 15, 2005, the Examiner denied entry of that amendment. In response, Applicant hereby submits this amendment filed in conjunction with the filing of a Request for Continuing Examination. No new matter has been added.

In rejecting claim 1, the Examiner asserts it would have been obvious to modify Parks et al. using Sirbu et al. because session keys are more suited in a case where a time object is only required sporadically. The Examiner fails to provide any citation to any prior art reference to support this conclusion. Applicant respectfully requests that the Examiner provide a reference supporting this conclusion.

Instead of supplying the requested reference, the Examiner relies on the benefit of using a ticket-based system to transfer secure time signals outlined in the present application. The motivation to combine references cannot come from the present application.

In addition, the Parks et al. publication describes a system for transferring time signals without the use of tickets. It is presumed that the Parks et al. system is operational and therefore does not need to use tickets. It is unclear from the Examiner's rejection why one of ordinary skill in the art would want to modify the operational

system described by Parks et al. The combination proposed by the Examiner does not solve a problem inherent in the Parks et al. system. Delivery of secure time signals is apparently not a problem in Parks et al. There is simply no motivation to add a ticket-based system to the system of Parks et al.

In the Advisory Action, the Examiner mischaracterizes Applicant's argument made in the Amendment mailed on August 26, 2005 and repeated above. It is not Applicant's position that combinations are impermissible simply because each patent is presumed operational. Combinations of patents are permissible only when there is an identifiable deficiency in at least one of the references. Parks et al. can deliver time signals by itself. Why does it need the teachings of Sirbu et al? What is deficient in Parks et al. for which the teachings of Sirbu et al. compensate? The Examiner, as pointed out earlier, fails to point to any teaching in any reference that outlines a deficiency in Parks et al. for which Sirbu et al. is needed.

Claims 3-10 are allowable due to their dependency on an allowable base claim.

App. No.: 10/613,911  
Atty. Doc. No.: D03041

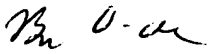
CONCLUSION

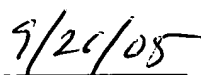
No fees are believed due for this response. However, the Office is authorized to charge any additional fees or underpayments of fees (including fees for petitions for extensions of time) under 37 C.F.R. 1.16 and 1.17 to account number 502117. Any overpayments should be credited to the same account.

Applicant respectfully requests reconsideration of the present application, withdrawal of the rejections made in the last Office Action and the issuance of a Notice of Allowance. The Applicant's representative can be reached at the below telephone number if the Examiner has any questions.

Respectfully submitted,

Alexander Medvinsky

  
\_\_\_\_\_  
Benjamin D. Driscoll  
Reg. No. 41,571  
Motorola, Inc.  
101 Tournament Drive  
Horsham, PA 19044  
P (215) 323-1840  
F (215) 323-1300

  
\_\_\_\_\_  
Date